

## REMARKS

### **I. INTRODUCTION**

Claims 1-43 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

### **II. Information Disclosure Statement**

The Examiner has indicated that the Information Disclosure Statement (“IDS”) filed on October 30, 2000 along with the present application fails to comply with 37 CFR 1.98(a)(2). In particular, documents listed in the “Other Documents” section of the IDS were not submitted. Applicants respectfully submit that the IDS, PTO-1449 along with all of the references were filed on October 30, 2000 along with the present application. A copy of the originally filed IDS, PTO-1449 and the Express Mail Certificate No. EK 708 044 151 US is attached herewith. For the Examiner’s convenience, Applicants submit herewith a replacement copy of the thirteen documents listed in the above-mentioned section of the IDS which have become separated from the Patent Office file. It is respectfully requested that these documents be considered by the Examiner.

### **III. THE 35 U.S.C. §§ 102 & 103 REJECTIONS SHOULD BE WITHDRAWN**

Claims 1, 2, 4-12, 15, 17-24, 27, 28, 30-38, 40 and 43 stand rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,148,203 to Renko et al. (hereinafter “Renko”). In addition, claims 3, 12, 16, 25, 29, 38 and 41 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Renko in view of U.S. Patent No. 6,574, 266 to Haartsen (hereinafter “Haartsen”). Furthermore, claims 13, 26, 39 and 42 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Renko in view of U.S. Patent No. 6,292,666 Siddiqui et al. (hereinafter “Siddiqui”).

In order to render a claim anticipated under § 102, a single prior art reference must disclose **each and every element** of the claim in exactly the same way as recited in the claim. See Lindeman Maschinenfabrik v. Am Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). If any claimed element is absent from the prior art reference, there is no anticipation. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997).

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103, not only must the prior art teach or suggest each element of the claim, the prior art must also suggest combining the elements in the manner contemplated by the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir.), cert. denied 111 S.Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990).

Applicants' invention, as recited in independent claim 1, relates to a universal remote terminal for use in wireless local area networks in a plurality of countries which includes a circuitry configured to:

scan to find a communication channel carrying a communication for a nearby wireless local area network;  
*send a probe communications message on the communication channel in response to finding the communications channel when scanning;*  
*receive a reply communications message comprising country-specific information from a transmitter in a particular country that was sent in reply to the probe communications message; and*  
adapt to that country's communications specifications to suitably operate in wireless local area networks in that country in response to receiving the country-specific information.

(Emphasis Added)

Independent claims 14, 27 and 40 include similar limitations.

Renko relates to a method for registering a communication device for a communication service. In particular, Renko describes a method for reducing "the time it takes the

communication device to find an appropriate carrier and register.” (*See* Renko, col. 2, lines 5-6). The device stores in its memory a list of worldwide frequencies used for wireless communications. (*See* id., col. 2, lines 25- 52). These frequencies are organized by bandmaps which are the comprehensive lists of all frequencies used in a particular region of the world. (*See* id., col. 4, lines 2-6). One specific bandmap that the device maintains is a learned bandmap which is a dynamic memory list that stores the most recently used frequencies. (*See* id., col. 2, lines 34- 36).

Upon powering up of the device, it initiates scanning of the learned bandmap to find a primary control channel (“PCCH”) (*See* id., col. 4, lines 26-27). If no the PCCH is found, the device scans the present regional bandmap. (*See* id., col. 4, lines 31- 34). In particular, all of “the frequencies listed in the present regional map would be scanned.” (*See* id., col. 2, lines 63). Renko acknowledges that the inability to locate the PCCH might be due to a weak signal. (*See* id., col. 3, lines 7-10). Thus, to reduce the time to find the PCCH, Renko suggests to alternate the scanning between “the last used region map, and successive sections of the complete world wide bandmap.” (*See* id., Col. 2, lines 19-21). Once the PCCH is found, the device obtains information about a broadcast control channel (“BCCH”) from the PCCH signal. (*See* id., col. 4, lines 60-61). Then, the device switches to *listen* to the BCCH in order to *obtain* a public land mobile network (“PLMN”) code. (*See* id., col. 2, lines 21-24; col. 3, lines 56-62; col. 4, lines 50-55). In other words, the BCCH “will be read (216) to obtain the PLMN code...” (*See* id., col. 4, lines 50-55). The PLMN code includes a mobile country code (“MCC”) and a mobile network code (“MNC”). (*See* id., col. 3, lines 62-63).

The Examiner rejecting claims 1, 14 and 27 states that Renko discloses a communication device which “send[s] a probe communications message (in the registration sequence) on the communication channel in response to finding the communication s channel when scanning; receive a reply communication message (in the registration sequence) comprising country-specific information from a transmitter in a particular country that we sent in reply to the [probe communications message (col. 3, lines 51-67)...” (*See* Office Action, p.3).

Applicants respectfully submit that Renko does not illustrate or describe, nor does it suggest, a device which includes a circuit which is configured to *send a probe communications message on the communication channel in response to finding the communications channel when scanning; and receive a reply communications message comprising country-specific information from a transmitter in a particular country that was sent in reply to the probe communications message*, as recited in independent claims 1, 14, 27 and 40. As described above, Renko describes a device which scans frequencies to find the PCCH. Once the PCCH is found, information about a location of the BCCH is extracted from the PCCH. Then, the Renko device switches to the BCCH to *obtain/read* the PLMN code. Applicants respectfully assert that none of the embodiments of Renko send a probe message to the local cell to obtain the PLMN in response to the probe message. Instead, the device of Renko first finds the PCCH and then switches to BCCH which includes the PLMN code. *Renko never teaches a device which actively sends out a message to find the proper PLMN code in a reply message.* Thus, the PLMN code is not provided to the device in response to an outgoing message. On the other hand, the Applicants' device first finds the communication channel and then, instead of trying to read the country-specific information that may be included in the communication channel as taught by Renko, the device sends a probe message specifically requesting the country-specific information. Then, in a separate communication from a local cell, the country-specific information is provided to the device in reply to the probe message. Thus, it is respectfully submitted that Renko does not include any showing or suggestion of a device that includes a circuit configured to *send a probe message and then to receive a reply to the probe message comprising country-specific information from a transmitter in a particular country*. It is therefore respectfully submitted that claims 1, 14, 27 and 40 are not anticipated by Renko and that these rejections should be withdrawn.

Claims 2-13, 15-27, 28-39 and 41-43 depend from corresponding independent claims 1, 14, 27 and 40, therefore, the arguments presented above in connection with claim 1 apply equally to these claims. Thus, for at least the reasons discussed above, neither Renko, Haartsen nor Siddiqui, alone or in combination, render obvious any of Claims 2-13, 15-27, 28-39 and 41-43.

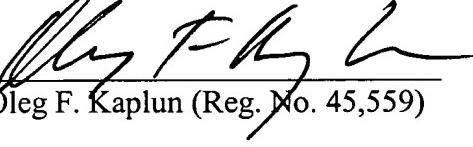
Therefore, Applicants respectfully request that the §§ 102 & 103 rejections of claim 1-43 should be withdrawn.

**IV. CONCLUSION**

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: December 1, 2003

By:   
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 619-0276